

REMARKS

This Application has been carefully reviewed in light of the Final Office Action dated November 9, 2009 and Advisory Action dated February 5, 2010. All pending Claims 1-10 were rejected in the Final Office Action. Applicants filed a Response to Final Office Action on January 11, 2010 ("Response to Final"), amending the claims. However, the Examiner indicated that he did not enter the claim amendments set forth in the Response to Final because they allegedly did not overcome the rejections set forth in the Final Office Action (specifically, the rejections based on the *Spain* reference).

Thus, in this RCE, Applicants have amended Claims 1 and 5 based on dependent Claims 3 and 7, and further to address the Examiner's arguments set forth in the Advisory Action. Dependent Claims 3 and 7 are herein cancelled without prejudice or disclaimer. Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections under 35 U.S.C. § 102

Claims 1-3, 5-7, and 9 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,279,842 issued to Byron Spain ("*Spain*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

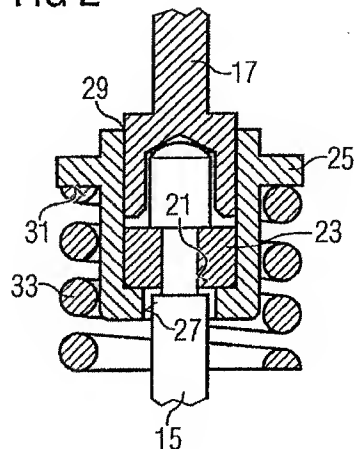
As discussed above, Applicants have amended Claims 1 and 5 based on (now cancelled) dependent Claims 3 and 7, and further to address the Examiner's arguments set forth in the Advisory Action. Applicants respectfully submit that *Spain* does not teach all elements of amended independent Claims 1 and 5, as well as independent Claim 9, and thus cannot anticipate such claims.

For example, amended Claim 1 recites:

wherein a receptance is formed in the first part and fixes a keeper in axial direction relative to the needle, and a *coupling body*, which has a recess, through which the first part protrudes and which *takes in the keeper such that keeper fits substantially tightly within the recess to substantially prevent any radial movement of the keeper and the needle relative to the needle* and with the coupling body being joined to the second part

Thus, Claim 1 requires a coupling body that “*takes in the keeper such that keeper fits substantially tightly within the recess to substantially prevent any radial movement of the keeper and the needle relative to the needle.*” This feature is shown, for example, in Applicants’ Figure 2. As shown, the outer surface of keeper 23 fits snugly within the inner surface of coupling body 25, which acts to prevent any radial movement of keeper 23.

FIG 2



Spain does not teach this feature. In the Advisory Action, the Examiner argues:

. . . Applicant argues [in the Response to Final] that U.S. Patent 6,279,842 to Spain does not disclose all the limitations of the independent claims, specifically that claim 1 requires a coupling body that “takes in the keeper and fixes it in the radial direction relative to the needle.” Applicant states that Spain does not teach this feature, the nut (110) of Spain is spaced apart from the plunger 98, and therefore the plunger cannot fix nut (110) in any radial direction. While examiner agrees that that the nut of Spain is spaced apart from the plunger, examiner would like to note that the plunger does indeed take in the keeper and fixes it in the radial direction relative to the needle (even with the space between there the keeper could only move so far within the body until the keeper touches the walls in the radial direction).

Although Applicants do not agree with this very broad interpretation of the phrase “fixes [the keeper] in the radial direction”, Applicants have further amended the claims to specify that the “keeper fits *substantially tightly within the recess* [of the coupling body] to substantially *prevent any radial movement of the keeper* and the needle relative to the needle.” Applicants believe this language overcomes the Examiner’s arguments in the Advisory Action.

Figure 2C of *Spain* illustrates the relevant components. As shown below, nut 110 is *spaced apart* from the plunger 98. Thus, nut 100 does not fit *substantially tightly within* plunger 98 to *substantially prevent any radial movement of* nut 100, as required in independent Claims 1, 5, and 9.

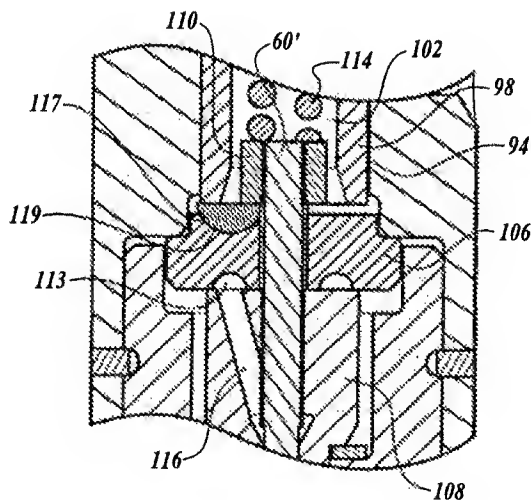


Fig. 2C

Therefore, *Spain* does not teach all limitations of independent Claims 1, 5, and 9, and thus cannot anticipate Claims 1, 5, and 9. Thus, Applicants respectfully request reconsideration and allowance of Claims 1, 5, and 9, as well as all claims that depend therefrom.

Rejections under 35 U.S.C. §103

Dependent Claims 4, 8, and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Spain* in view of U.S. Patent Application Publication No. 2002/0043575 filed by Atsushi Sekine et al. ("*Sekine*").

Dependent Claims 4, 8, and 10 are allowable at least because they depend from independent Claims 1, 5, and 9, shown above to be allowable. Further, *Sekine* does not teach the limitations of independent Claims 1, 5, and 9 not taught by *Spain*.

Thus, Applicants respectfully request reconsideration and allowance of dependent Claims 4, 8, and 10.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicant authorizes the Commissioner to charge \$810.00 to Deposit Account 50-4871 for the filing of a Request for Continued Examination (RCE) Transmittal (attached hereto). Applicant also authorizes the Commissioner to charge \$130.00 to Deposit Account 50-4871 for a One-Month Extension of Time (petition attached hereto).

Applicants believe there are no other fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-4871 of King & Spalding L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.457.2030.

Respectfully submitted,
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